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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Joseph M. Asher

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INNOVATION DIVISION
CANTOR FITZGERALD, L.P.
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NEW YORK, NY 10022

EXAMINER

LEIVA, FRANK M

ART UNIT

PAPER NUMBER

3717

NOTIFICATION DATE

DELIVERY MODE

12/22/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/771,076	Applicant(s) ASHER ET AL.	
	Examiner FRANK M. LEIVA	Art Unit 3717	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1,2,4-23,26-28,31-33,35-47 and 49-79 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1,2,4-23,26-28,31-33,35-47 and 49-79 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____. |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :09/16/2008; 02/20/2009; 03/27/2009; 04/29/2009; 09/03/2009; 12/29/2009; 11/08/2010

DETAILED ACTION

Continued Examination

1. In view of the Appeal Brief filed on 02 February 2009, PROSECUTION IS HEREBY REOPENED. The New ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Melba Bumgarner/

Supervisory Patent Examiner, Art Unit 3717

Acknowledgements

2. The office action will take in consideration the claim amendments filed 30 April 2008 and the arguments related to art in the appeal brief filed 23 June 2011. The examiner will rectify any matters of form and reformat the office action in order to facilitate prosecution of the present application. Claims 1-2, 4-23, 26-28, 31-33, 35-47, 49-79 are pending, claims 3, 24-25, 29-30, 34, 48 are canceled and claims 1, 23, 56, 59 and 75 are amended in applicant's submission of 30 April 2008.

Response to Arguments

3. Applicant's arguments, see appeal brief filed 23 June 2011, with respect to the manner in which the rejection have been written have been fully considered and are

persuasive. Since the application has been revived, in order to assist prosecution the last action has been rewritten to cover in better detail the rejections.

Information Disclosure Statement

4. The information disclosure statements filed **20 February 2009, 27 March 2009** and **29 December 2009** fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein and crossed out has not been considered.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-2, 4-17, 22-23, 26-28, 31-33, 35-39, 44-47, 49, 52-53, 56, 59-74 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vlazny et al (US 2005/0116410 A1).**

7. **Regarding claim 1;** Vlazny discloses a method, comprising the steps of:
at a computer processor, receiving a plurality of bets, (¶ [0010]), each bet comprising:

a selection of a first number of events selected from a group of events, (fig. 26, a selection of at least 9 betting events or pools in the race shown on the screen);

a selection of a respective participant for each of the first number of events selected, (fig. 26, for each pool a selection of runners, for the trifecta for example and fig. 27 showing the pools to be “win, place, trifecta etc”); and

a bet amount, (fig. 23, “BETS: 2 Total \$44.00”);

wherein at least one selected event of a first bet of the plurality of bets comprises a different event from the events selected to form a second bet of the plurality of bets, (fig. 1, is known to combine in a ticket the trifecta event bet includes a win event bet a place event bet and a show event bet combined into a single bet);

combining the amounts of the bets of the plurality to form a betting pool, (¶ [0004]; wherein all the bets are collected to form pools); and

at a computer processor, determining an amount of a payout for winning bets of the plurality based at least in part on the amount of the bets in the betting pool, (¶ [0004]).

Regarding the events, the examiner understands that a sporting event is different from a betting event in a manner in which the bet is made, for a single horse race there are several betting pools or events to win such as a bet of win or place or show, each a betting event in which the player selects a specific participant to win or be the winning outcome of that event.

Regarding Vlazny's disclosure; several embodiments are described in Vlazny so that elements of these separate embodiments will be cited. It is the examiner's position that these elements as disclosed separately by Vlazny do not include a statement of exclusivity and that they are shown only to be able to be used in different embodiments or together as one, since no teaching of them working against one another is found in the disclosure and the use of all limitation disclosed would be obvious to one of ordinary skill. Including paragraph [0058] various combinations and modifications of the exemplary embodiment would be obvious to one of ordinary skill in the art.

8. Regarding claim 23; Vlazny discloses a system for managing bets, comprising:
a tangible computer storage memory and processor designed to store and operate on a plurality of bets, (¶ [0010]), each bet comprising:

a selection of a first number of events selected from a group of events, (fig. 26, for each pool a selection of runners, for the trifecta for example);

a selection of a respective participant for each of the first number of events selected, (fig. 26, for each pool a selection of runners, for the trifecta for example); and

a bet amount, (fig. 23, "BETS: 2 Total \$44.00");

wherein at least one selected event of a first bet of the plurality of bets comprises a different event from the selected events of a second bet of the plurality of bets, (fig. 1, combination ticket the trifecta bet includes a win bet a place bet and a show bet combined into a single bet);

the processor operable to:

combine bets, including at least the first and second bets to form a betting pool, (¶ [0004]); and

determine an amount of a total payout based at least in part on the betting pool, (¶ [0004]).

Regarding the events, the examiner understands that a sporting event is different from a betting event in a manner in which the bet is made, for a single horse race there are several betting pools or events to win such as a bet of win or place or show, each a betting event in which the player selects a specific participant to win or be the winning outcome of that event.

Regarding Vlazny's disclosure; several embodiments are described in Vlazny so that elements of these separate embodiments will be cited. It is the examiner's position that these elements as disclosed separately by Vlazny do not include a statement of exclusivity and that they are shown only to be able to be used in different embodiments or together as one, since no teaching of them working against one another is found in the disclosure and the use of all limitation disclosed would be obvious to one of ordinary skill. Including paragraph [0058] various combinations and modifications of the exemplary embodiment would be obvious to one of ordinary skill in the art.

9. Regarding claim 56; Vlazny discloses a method, comprising the steps of:
at a computer processor, receiving a first bet, (¶ [0010]), comprising:

a first selected number of events, the first selected number of events comprising at least a first event, (fig. 26, for each pool a selection of runners, for the trifecta for example);

a selection of a respective participant for each of the first selected number of events, (fig. 26, for each pool a selection of runners, for the trifecta for example); and

a first bet amount, (fig. 23, "BETS: 2 Total \$44.00");

at the computer processor, receiving a second bet, (¶ [0011], multi-betting is allowed thus the rules for a second bet follows the same as the first bet) comprising:

a second selected number of events, the second selected number of events comprising at least a second event different from the events in the first selected number of events, (fig. 1, combination ticket the trifecta bet includes a win bet a place bet and a show bet combined into a single bet);

a selection of a respective participant for each of the second selected number of events, (fig. 26, for each pool a selection of runners, for the trifecta for example); and

a second bet amount, (fig. 23, "BETS: 2 Total \$44.00"); and

at the computer processor, determining an amount of a total payout based at least in part on an amount of a betting pool formed by combining the first bet amount and the second bet amount, (fig. 1 and ¶ [0004], where the payout of a complete ticket is based on the total bets of the ticket).

Regarding the events, the examiner understands that a sporting event is different from a betting event in a manner in which the bet is made, for a single horse race there are several betting pools or events to win such as a bet of win or place or show, each a betting event in which the player selects a specific participant to win or be the winning outcome of that event.

Regarding Vlazny's disclosure; several embodiments are described in Vlazny so that elements of these separate embodiments will be cited. It is the examiner's position that these elements as disclosed separately by Vlazny do not include a statement of exclusivity and that they are shown only to be able to be used in different embodiments or together as one, since no teaching of them working against one another is found in the disclosure and the use of all limitation disclosed would be obvious to one of ordinary

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skill. Including paragraph [0058] various combinations and modifications of the exemplary embodiment would be obvious to one of ordinary skill in the art.

10. Regarding claim 59; Vlazny discloses a method, comprising the steps of:

at a computer entry device, accepting from a user a bet that selects an event and outcome of the event on which to bet, (¶ [0011]); and

forwarding the bet for assembly of a plurality of bets from a plurality of users into a betting pool, (¶ [0011]);

each bet in the plurality including a designation of an event and an amount, the plurality of bets in the betting pool including bets on a plurality of distinct events that differ among the bets in the pool, the betting pool to be processed by a processor to determine a payout for winning bets of the plurality based the outcomes of at least two events designated by bets in the betting pool, (fig. 1, combination ticket the trifecta bet includes a win bet a place bet and a show bet combined into a single bet, and ¶ [0004], where the payout of a complete ticket is based on the total bets of the ticket).

Regarding the events, the examiner understands that a sporting event is different from a betting event in a manner in which the bet is made, for a single horse race there are several betting pools or events to win such as a bet of win or place or show, each a betting event in which the player selects a specific participant to win or be the winning outcome of that event.

Regarding Vlazny's disclosure; several embodiments are described in Vlazny so that elements of these separate embodiments will be cited. It is the examiner's position that these elements as disclosed separately by Vlazny do not include a statement of exclusivity and that they are shown only to be able to be used in different embodiments or together as one, since no teaching of them working against one another is found in the disclosure and the use of all limitation disclosed would be obvious to one of ordinary skill. Including paragraph [0058] various combinations and modifications of the exemplary embodiment would be obvious to one of ordinary skill in the art.

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11. Regarding claims 2, 53 and 60; Vlazny discloses the steps of: receiving results of the group of events, the results identifying a winning participant or outcome for each event of the group of events, (§ [0060], wherein the gaming system calculates odds and payoff information for cashing the betting tickets, the receiving of the event results is inherent for this process); and determining one or more winning bets of the plurality of bets based at least in part on the results, (§ [0004], wherein the pari-mutuel system applies the result of the races and affects the amount of winning according to the betting pool amounts and the amount of winners for that pool).

12. Regarding claims 6, 28 and 63; Vlazny discloses wherein a rule for determining a payout to a bet of the plurality of bets comprises a winning bet is based at least in part on whether at least some of the selected respective participants correspond to a winning participant or outcome for each of the first number of events selected and the selected respective participants of the bet comprise participants having specified odds, (§ [0004], the payoff odds are determined by the amount of money wagered).

13. Regarding claims 7 and 64; Vlazny discloses the step of increasing a payout for a first winning bet of the one or more winning bets relative to a pari-mutuel payout for the winning participant or outcome of the event of the first winning bet, the increase being based at least in part on the relative odds among the winning participants of the winning bets in the pool_determining an amount to be paid for each winning bet based on the number of winning bets and the amount of the total payout, (§ [0004], the payoff odds are determined by the amount of money wagered, that number can decrease or increase according to the total amount of bets in the pool).

14. Regarding claims 8 and 65; Vlazny discloses the step of increasing a payout for a first winning bet of the one or more winning bets relative to a pari-mutuel payout for the winning participant or outcome of the event of the first winning bet, the increase being based at least in part on the relative amount bet on the events in the pool wherein

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determining an amount to be paid for each winning bet is further based on the bet amount of each winning bet, (see claim 7).

15. Regarding claims 9, 31 and 69; Vlazny discloses wherein determining an amount to be paid for each winning bet is further based on the odds of the selected respective participants of each winning bet, ([0004], the award is calculated using the payoff odds for each participant).

16. Regarding claims 10 and 66; Vlazny discloses the step of increasing a payout for a first winning bet of the one or more winning bets relative to a pari-mutuel payout for only the bets on the same event as the first winning bet based at least in part on the first winning bet's selected respective participants or outcome for each of the first number of events selected each had specified odds, (see claim 7).

17. Regarding claims 32 and 47; Vlazny discloses wherein the processor is operable to increase a payout for a first winning bet of the one or more winning bets if at least one of the first winning bet's selected events comprises a specified event, (see claim 7).

18. Regarding claims 11, 33 and 46; Vlazny discloses the step of increasing a payout for a first winning bet of the one or more winning bets relative to a pari-mutuel payout for the winning participant of the event of the first winning bet, the increase being based at least in part on selection of the first winning bets' event for a bonus, selection being known to bettors while bets are received increasing a payout for a first winning bet of the one or more winning bets if at least one of the first winning bet's selected events comprises a specified event, (see claim 7, the pools representing a higher outcome than if bet separately).

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19. Regarding claims 13, 35 and 70; Vlazny discloses wherein determining an amount of a total payout based at least in part on the betting pool comprises adding to the betting pool a carryover amount from a previous betting pool, (§ [0020]).

20. Regarding claims 14, 36 and 71; Vlazny discloses comprising the steps of: receiving results of the group of events, the results identifying a winning participant or outcome for each event of the group of events, (§ [0060], wherein the gaming system calculates odds and payoff information for cashing the betting tickets, the receiving of the event results is inherent for this process); determining whether there are any winning bets based at least in part on determining for each of the plurality of bets if each selected respective participant or outcome corresponds to the winning participant or outcome for each of the first number of events selected in the bet; and determining a carryover amount to carry over to a future total payout if there are no winning bets, (§ [0004], wherein the pari-mutuel system applies the result of the races and affects the amount of winning according to the betting pool amounts and the amount of winners for that pool, and § [0020], the carryover amount calculated and displayed for each event prior to race to attract bettors).

21. Regarding claims 15, 37 and 72; Vlazny discloses canceling at least one event of the group of events; receiving results of the group of events, the results identifying a winning participant or outcome for at least one event of the group of events, (§ [0060], wherein the gaming system calculates odds and payoff information for cashing the betting tickets, the receiving of the event results is inherent for this process); and determining one or more winning bets by determining for each of the plurality of bets if at least one of the selected respective participants or outcomes corresponds to the winning participant or outcome for at least one of the first number of events selected in the bet, (§ [0118], wherein the invention discloses rules for scratches and the cancellation of bets).

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22. Regarding claims 16, 38, 49 and 73; Vlazny discloses wherein the first number of events comprise horse racing events held at different tracks, (fig. 8, shows the “bet cluster” and above signaling to choose a track and race, meaning that the track can be different from previous).

23. Regarding claims 22, 44, 52 and 79; Vlazny discloses stipulating an adjustment parameter that provides a bonus to the plurality of bets upon satisfaction of the adjustment parameter, (fig. 26, carryover Jackpots adjust the pay by adding a bonus pay).

24. Regarding claims 4, 26 and 61; Vlazny discloses: wherein a rule for determining a payout to a bet of the plurality of bets comprises a winning bet is based at least in part on whether at least some of the selected respective participants correspond to a winning participant for each of the first number of events selected and the bet of the plurality of bets includes a winning participant of a specified event, (¶[0004], to add what was explained above, it is well-known for parlay tickets to win, all participants selected must win, then the amount of payout is determined by dividing a portion of the pool by the number of winning tickets of that pool).

25. Regarding claims 5, 27 and 62; Vlazny discloses wherein a rule for determining a payout to a bet of the plurality of bets comprises a winning bet is based at least in part on whether at least some of the selected respective participants or outcome correspond to a winning participant or outcome for each of the first number of events selected and the bet amount is at least as high as a specified amount, (¶[0008], well-known “Pick 6” bet consists of selecting 6 consecutive race winners, and payoff consists of a big jackpot for 6 out of 6 or a lesser amount for 5 out of 6).

26. Regarding claims 12, 67 and 68; Vlazny discloses increasing a payout for a first winning bet of the one or more winning bets relative to a pari-mutuel payout for the winning outcome of the event of the first winning bet, the increase being based at least

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in part on selection of the first winning bets' event for a bonus, selection being known to bettors while bets are received; and occurring after bets are received, (fig. 26 and ¶[0113]), discloses the use of carryover monies used to create bonus payout to specific parlays, known in advance by the players so as to entice the players, also hidden jackpots that randomly show after the bets are made are well-known.

27. Regarding claims 17, 39 and 74; Vlazny discloses wherein the first number of events comprise events held on different days, (fig. 8), shows the "bet cluster" and above signaling to choose a track and race, non specifying a date, and is well-known to parlay races that are on different days, such is the triple crown championship.

28. Regarding claim 45; Vlazny discloses further comprising the steps of:
receiving results of the group of events, the results identifying a winning participant for each event of the group of events, (¶ [0060], wherein the gaming system calculates odds and payoff information for cashing the betting tickets, the receiving of the event results is inherent for this process);

determining one or more winning bets of the plurality of bets by determining for each of the plurality of bets if each selected respective participant corresponds to the winning participant for each of the first number of events selected in the bet, (¶ [0004], wherein the pari-mutuel system applies the result of the races and affects the amount of winning according to the betting pool amounts and the amount of winners for that pool);

determining an amount to be paid for a winning bet of the one or more winning bets based on the number of winning bets, the amount of the total payout and the bet amount of the winning bet of the one or more winning bets, (¶[0004], to add what was explained above, it is well-known for parlay tickets to win, all participants selected must win, then the amount of payout is determined by dividing a portion of the pool by the number of winning tickets of that pool).

29. Claims 18-21, 40-43, 50-51, 54-55, 57-58 and 75-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vlazny as applied to claims 1, 23, 56 and

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59 above, and further in view of “TAB New Zealand’s Betting Agency (October 4th 2003 disclosure)”, hereinafter TAB.

30. Regarding claims 18-20, 40-42, 50 and 75-77; Vlazny discloses all the limitations of claims 1, 23, 45 and 59, and further states that the invention can be used for any other sporting event, (¶ [0061]), yet is silent on the betting on different sporting events across the same ticket. TAB discloses wherein the first number of events comprise two or more events selected from events from the group consisting of one or more horse racing, dog racing, basketball, football, baseball, hockey, soccer, jai-alai, golf, boxing, rugby, cricket, auto racing, bicycle racing, tennis, Olympic or other sporting events; wherein the first number of events comprise at least one horse racing event and at least one football event; and wherein the first number of events comprise at least one football event and at least one basketball event, (page 1: “New Multi Betting on Sports”), as disclosed you can choose from a multitude of sporting events and combined them into a single bet.

Being that the references are analogous by being both pari-mutuel betting platforms, it would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to modify Vlazny by including the mixing of different sport venues in a parlay as discloses by TAB, since Vlazny already discloses using different sports and non-sport venues in the system this would be accomplished with known techniques yielding the predictable resulting invention.

31. Regarding claims 21, 43, 51, 54-55, 57-58 and 78; Vlazny discloses all the limitations of claims 1, 23, 45 and 59, and further states that the invention can be used for any other sporting event, (¶ [0061]), yet is silent on the betting on different sporting events across the same ticket. TAB discloses wherein the first number of events comprise: a first event selected from events from the group consisting of comprising a horse racing, dog racing, basketball, football, baseball, hockey, soccer, jai-alai, golf, boxing, rugby, cricket, auto racing, bicycle racing, tennis, Olympic, political or entertainment event; and a second event selected from events from the group

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consisting of comprising a horse racing, dog racing, basketball, football, baseball, hockey, soccer, jai-alai, golf, boxing, rugby, cricket, auto racing, bicycle racing, tennis, Olympic, political or entertainment event; and wherein the first event and the second event comprise different types of events, (page 1), as is obvious from page 1 of TAB, the first second or third selections is selected by the available game list and can be of any sport.

Being that the references are analogous by being both pari-mutuel betting platforms, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Vlazny by including the mixing of different sport venues in a parlay as discloses by TAB, since Vlazny already discloses using different sports and non-sport venues in the system this would be accomplished with known techniques yielding the predictable resulting invention.

Examiner's Note

32. Definition of parlay betting: A parlay is a sports wager on 2 or more teams. All teams participating in the parlay must win in order to pay-out. If there is a tie or No Action among the selections the parlay reverts to the next lowest number for the payout.

A parlay bet can be comprised of a series of bets on a specific team, over/under, or any mixture of 2. In order to win your parlay whether it is a 2 team parlay or multiple team parlay every one of the plays must win.

Wagering on a parlay rather than several individual bets offers a significantly higher payout. This "all or nothing" wager offers much higher odds than the traditional individual wagers. Below you will find our recommended sports books and the particular odds offered for their parlay betting.

33. The referenced citations made in the rejection(s) above are intended to exemplify areas in the prior art document(s) in which the examiner believed are the most relevant to the claimed subject matter. However, it is incumbent upon the applicant to analyze the prior art document(s) in its/their entirety since other areas of the document(s) may be relied upon at a later time to substantiate examiner's rationale of record. A prior art

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reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984). However, "the prior art's mere disclosure of more than one alternative does not constitute a teaching away from any of these alternatives because such disclosure does not criticize, discredit, or otherwise discourage the solution claimed "In re Fulton, 391 F.3d 1195, 1201, 73 USPQ2d 1141, 1146 (Fed. Cir. 2004).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANK M. LEIVA whose telephone number is (571)272-2460. The examiner can normally be reached on M-F 11:00 am - 4:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner can be reached on (571) 272-4709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melba Bumgarner/

Supervisory Patent Examiner, Art Unit 3717

/F. M. L./

Examiner, Art Unit 3717